

1909-038 Chancery Causes: Richard Johnson vs. Rosa Johnson
Lee Co.

Osborn, Glass, Lawson

CA-Divorce
T-Vices

To the Honorable H. A. W. Skeen, Judge of the Circuit Court
of Lee County Virginia.

Humbly complaining your complainant, Richard Johnson, would
respectfully represent, and show unto your honor; that he is now a
and has been for more than twelve months next preceding the in-
stitution of this suit, a citizen of Lee County Virginia.

That on the day of 1908, your complainant was lawfully
married in Lee County Virginia, to Rosa Johnson, with whom he lived
and to whom he was a devoted husband.

That on the day of 190, she com-
mitted adultery, without the consent, procurement or connivance of
your complainant, and lived with one William Osborn, at Black Water
Virginia, and that in adultery for quite a while. Your complainant
alleges that he has not lived, nor cohabited with the said Rosa John-
son, since her acts of adultery.

That said acts of adultery were committed within few years
before the institution of this suit.

Your complainant prays that the defendant be made to answer
this bill, but not on oath that being waived.

Your complainant further prays, that he be granted a divorce
A Vinculo Matrimonii, and for such other further and general relief
as the nature of the case may require, and to equity seem meet,-
and he will ever pray & etc.

E. J. Woodard, P. O.

1905 W.
Richard Johnson Off
vs { Bill in Chancery

Rosa Johnson vs Jt

1909 1st June Rules
Bill filed & Spa
executed
" 2nd June Rules.
Cause set for
hearing

Costs: \$

Clerk \$3.75

Atty \$5.00

Shff .50

Wits 1.00

Comm. .75

Tax 1.20

21.00

20.45

1.20

19.20

paid this Sept 27-1909
m. g. g. atty.

Richard Johnson, _____

Plaintiff
Defendant.

vs.

Decree.

Rosa Johnson, _____

Defendant.

This cause came on this day to be heard upon the bill of complainant, depositions filed there with and proses duly executed on the defendant and was argued by counsel.

on consideration of which the defendant failing to appear and answer, plead addemerrer and court being of the opinion that the allegations of the plaintiffs bill, has been proven, it is adj judged, ordered and decredd that the Bonds of matrimony heretofore contracted and now existing between plaintiff and defendant be dissolved that the plaintiff, Richard Johnson, be forever divorced from his said wife, the defendant, Rosa Johnson, avinculo matrimonii, and that the plaintiff pay the cost of this suit, and the cause is stricken from the docket.

Richard Johnson -

vs. { Deere -

Rosa Johnson -

Entered in C.O.B.
#8, page 495-

Enter this

Hawesley

Sept. 7-1909-

To *Rosa Johnson*.

Take notice that *2* shall, on the *6th* day of *Sept* 190*9*.
at *the law office of m. h. Ely in town of Jonesville*
va.

between the hours of *6* A. M. and *1* P. M., on that day, proceed to take the depositions
of *Tom Tawson* and others, to be read in evidence in *my* behalf,
in a certain *suit* depending in the *circuit* court for the *county*
of *Lee* wherein you are *defendants*
and *I am plaintiff* -
and if from any cause, the taking of the said depositions be not commenced on that day, or if
commenced, be not concluded on that day, the taking of the same will be adjourned and con-
tinued from day to day, or from time to time, at the same place and between the same hours,
until the same shall be completed. Very respectfully,

Michael Johnson
By counsel

Richard Johnson

vs. }

NOTICE TO TAKE
DEPOSITIONS.

Rosa Johnson

M. G. Ealy p. q.

Executed by delivering
a true copy to
Rosa Johnson
on the 3 of Sept 1909
W E Glass K.S.
for my Trustee
S G C

The depositions of W.E.Glass and others taken, on the 6th day of September, 1909, at the law office of M.G.Ely, in the Town of X Jonesville, Lee County, Virginia, pursuant to notice hereto attached, before me, Geo.P.Gridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, which depositions are intended to be read as evidence in behalf of the plaintiff in a certain suit in chancery now pending in the Circuit Court of Lee County in which Richard Johnson is plaintiff and Rosa Johnson is defendant.

Present M. G. Ely attorney for plaintiff. *+ the defendant in person*
W.Z.Osborn, a witness of lawful age, being duly sworn deposes as follows:

Q.1.--State your age, residence and occupation.

A.-- I am 38 years old, reside on Blackwater, am a farmer, and carpenter and blacksmith.

Q.2-- State whether or not you are acquainted with the parties to this suit and if so how long have you known them.

A.-- I am acquainted with them, and have known them for 12 years or longer.

Q.3.-- Where do they live, and how long have they lived there?

A.-- They live in Lee County, and have pretty well all the time that I have known them.

Q.4.-- Please state if you know whether or not the defendant in this case has been guilty of any acts of adultery within the last five years?

A.-- I will not answer that question, - it is an unfair question.

Q.5.-- Why do you refuse to answer that question?

A.-- I will not answer no question on no lady like that.

Q.6.-- Please state if it is not a fact that you and the defendant Rosa Johnson, were indicted at the last term of the Court or the term before that, for lewd and lascivious cohabitation, and have you not both been tried on that charge, and been fined for adultery?

A.-- I suppose we were so indicted. We were not tried. I agreed to pay a fine rather than have people to swear against me, and I was fined \$20.00 and the cost.

Q.7.-- I will ask you again, if you don't know that the defendant Rosa Johnson has been guilty of acts of adultery within the last five years?

A.-- I refused to answer that question once and I will not answer it now.

Q.8.-- Please state whether or not you were at the trial of Rosa Johnson when she was tried for living with you as man and wife, and if so, state what was the result of that trial?

A.-- I was there when they fined her. They fined her \$20.00, I think. She was fined on that indictment, as I understood it.

Q.9.-- State whether or not, the plaintiff and defendant have lived together as man and wife since you and her were fined for adultery?

A.-- I don't know whether they have been together or not, I can not tell that.

And further this deponent saith not.

*Writ claim .50 Paid by
Plaintiff*

Wm. B. Osbourn

Andrew Lawson, another witness of lawful age being duly sworn deposes as follows:

Q.1.--State your age, residence and occupation?

A.-- I am 40 years old, reside on Blackwater, and am a farmer.

Q.2.-- State whether or not you are acquainted with the parties to this suit and if so how long have you known them?

A.-- I have known Richard Johnson for a good long while. I have known Rosa Johnson for a year or to when I see her, she has lived in Lee County during that time.

Q.3.-- Please state what you may know about Rosa Johnson leaving her husband, and living with one William Osbourn in adultery.

A.-- By some means her and her husband got apart, and Mr. Osbourn moved her down there right close to me, and they lived together there a few days, I couldn't say just how long.

Q.4.-- Where did they go to from there?

A.-- They left there, I could not say that I know just where they went to. After they were indicted for living together they left and I was informed that they went up about Norton.

Q.5.-- Did the plaintiff and defendant last live and cohabit together in Lee County?

A.-- They did as far as I know.

Q.6.-- State whether or not, if you know, the plaintiff and defend-

ant have lived together since she left home and lived with William Osbourn?

A.-- They have not lived together that I know of.

And further this deponent saith not.

Wit. sworn 1 day 50th

Andrew Lawson
with

Virginia, Lee County, to-wit:

I, Geo. P. Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing depositions of W. Z. Osbourn and Andrew Lawson were taken, sworn to and subscribed before me at the time, place and ~~and~~ for the purpose in the caption mentioned.

Given under my hand this the 6th day of Sept., 1909.

Geo. P. Cridlin

Commissioner in Chancery.

Richard Johnson
vs. { In Chy

Rosa Johnson

Filed Sept 6, 1904

H.C.D. Ewing. Clerk

Cour. fee 75 cts.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Rosa Johnson

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *1st* Monday in *June*, 190*9*, to answer a bill in chancery exhibited against *her*

in our said Court by Richard Johnson

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *3rd*
day of *May*, 190*9*, and 1*33*rd year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Richard Johnson

VS

SUBPENA
IN
CHANCERY

Rosa Johnson

Geo. Manier, p. q.

To

1st June

Rules

Lee Circuit

Court

1909.
Executed May 29-09

By Tacking a copy on
the door of the House
where Rosa Johnson
last lived in Geo. Co.
and here House hold
goods still in the house
this June 1 day 1909
W. E. Galt
for my fees 15.00